

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 15, 2008**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are O’Leary, Acting Presiding Justice, Aronson, J. Fybel, J., and Ikola, J. Toni Cajigal, deputy clerk attending.

G039385 JON’S FISH MARKET, INC.
 v.
 COUNTY OF ORANGE

Merits. Cause called. Paul L. VanLoon argued for appellant. James C. Harman argued for respondent. Cause submitted.

G039825 NEVADA ALTANTIC CORPORATION
 v.
 WREC LIDO VENTURE, LLC.

Merits. Cause called. Todd A. Green argued for appellant. Michael F. Obrand argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 15, 2008 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting Presiding Justice, Moore, J., Aronson, J. and Fybel, J. Toni Cajigal, deputy clerk attending.

G039202 THE PEOPLE
 v.
 ROGELIO LUNA

Merits. Cause called. Brent Romney argued for appellant. Gary Brozio, Deputy Attorney General argued for respondent. Cause submitted.

G039184 THE PEOPLE
 v.
 JOHN BRIONES et al.

Merits. Cause called. Stephen M. Lathrop argued for appellant Juan Noriega. Nancy E. Olsen argued for appellant John Briones. Gary Brozio, Deputy Attorney General argued for respondent. Cause submitted.

G039456 THE PEOPLE
 v.
 WENCESLAO CALERA

Merits. Cause called. Kevin D. Sheehy argued for appellant. David Delgado-Rucci, Deputy Attorney General argued for respondent. Cause submitted.

G038832 THE PEOPLE
 v.
 MICHAEL G. MARTINEZ

Merits. Cause called. Brent F. Romney argued for appellant. Scott Taylor, Deputy Attorney General argued for respondent. Cause submitted.

G038013 THE PEOPLE
 v.
 ROBERT CASTILLO

Merits. Cause called. Carl Fabian argued for appellant. David Delgado-Rucci, Deputy Attorney General argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 15, 2008 (cont'd)**

G038403 THE PEOPLE
 v.
 EUGENE E. E. BAIRD

Merits. Cause called. Kathleen W. Novoa argued for appellant. Scott Taylor, Deputy Attorney General argued for respondent. Cause submitted.

G039050 MELINDA. GARBER
 v.
 RONALD GARBER

Merits. Cause called. William M. Hulse argued for appellant. John G. Derrick argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 15, 2008 (cont'd)**

G039347 LADD and ASSOCIATES et al. Not for publication
 v.
 VENTURA COUNTY WATERSHED
 PROTECTION DISTRICT

Opinion filed. The judgment is affirmed.

RYLAARSDAM, Acting P.J.

We concur: FYBEL, J.
 IKOLA, J.

G039400 THE PEOPLE
 v.
 RICARDO GONZALEZ

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P.J.

G039546 THE PEOPLE Certified for publication
 v.
 TIMOTHY ALLEN MILLIGAN

Opinion filed. The judgment is affirmed.

FYBEL, J.

We concur: RYLAARSDAM, ACTING P.J.
 MOORE, J.

G040290 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 M.M.

Order filed. The above entitled cause is ordered submitted this date. (C.R.C., rule 8.416(g)(3).)

SILLS, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 16, 2008**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, O’Leary, J., Aronson, J., Fybel, J. and Ikola, J. Toni Cajigal, deputy clerk attending.

G039363 THE PEOPLE
 v.
 JOSEPH S.

Merits. Cause called. Michael J. Harrington argued for appellant. Nicole Cook certified law student argued for respondent, with Marissa Bejarano designated as the supervising Deputy Attorney General. Cause submitted.

G039795 GLOBALIST INTERNET TECHNOLOGIES, INC.
 v.
 ALBERT REDA et al.

Merits. Cause called. Steven S. Karic argued for appellant. Scott E. Schutzman argued for respondents. Cause submitted.

G038754 JASON NICOHLS et al.
 v.
 JAMES HOWARD et al.

Merits. Cause called. David B. Dimitruk argued for appellants. Andrew D. Weiss argued for respondents. Cause deferred to allow letter briefs to be filed, matter to be submitted after briefing.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 16, 2008 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, Rylaarsdam, J., and Moore, J. Shahira Naqshabandy, deputy clerk attending.

G039738 DANIEL MCCORMICK ET AL.
 v.
 DOUGLAS GRAY ET AL.

Merits. Cause called. Donald J. Hamman argued for appellants. Francis J. Cunningham argued for respondents. Cause submitted.

G039217 DAVID ROBINSON ET AL.
 v.
 INVENSYS, PLC ET AL.

Merits. Cause called. Anthony P. X. Bothwell argued for appellants. Michael C. Sullivan argued for respondents. Cause submitted.

G038119 SATCHMED PLAZA OWNERS ASSOCIATION
 v.
 UWMC HOSPITAL ET AL.

Merits. Cause called. Norman H. Levine argued for appellant. Lawrence D. Lewis argued for respondent, UWMC Hospital Corp. James W. Lundquist argued for respondent, WMC-SA, Inc. Cause submitted.

G039843 GARDEN GROVE DOWNTOWN BUSINESS ASSOCIATION
 v.
 CITY OF GARDEN GROVE ET AL.

Merits. C. Robert Ferguson argued for appellant. Allison E. Burns argued for respondents, City of Garden Grove et al. Robert O. Owen argued for real party in interest, Sheldon Public Relations. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 16, 2008 (cont'd)**

G037818 ALEXIS SARTI
 v.
 SALT CREEK LTD.

Merits. Cause called. Richard A. Derevan argued for appellant. Roy G. Weatherup argued for respondent. Cause submitted.

Court declared a recess

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 16, 2008 (cont'd)**

G037909 THE PEOPLE Not for publication
 & v.
G038359 MICHAEL ANGELO POWELL

In re MICHAEL ANGELO POWELL
On Habeas Corpus.

Opinion filed. The judgment is affirmed in part and reversed in part with
directions. Petition denied.

IKOLA, J.

We concur: SILLS, P. J.
 RYLAARSDAM, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 17, 2008**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, Moore, J. and Ikola, J. Toni Cajigal, deputy clerk attending.

G039758 KATHLEEN STRONG
 v.
 ALI BEYDOUN et al.

Merits. Cause called. Kathleen Strong argued for appellant. Michael G. York argued for respondent. Cause submitted.

G039652 RICHARD L. JIVERY
 v.
 CARL MARCINIAK

Merits. Cause called. Richard O. Weed argued for appellants and cross-appellants. Valerie F. Horn argued for respondents and cross-appellants. Cause submitted.

G039782 HANELINE PACIFIC PROPERTIES
 v.
 CARL R. MAY et al.

Merits. Cause called. Betty M. Shumener argued for appellant. Roger M. Franks argued for respondents. Cause submitted.

G039824 EILEEN GARCIA
 v.
 CITY OF LAGUNA BEACH et al.

Merits. Cause called. Paul J. Orfanedes argued for appellants. Robert O. Owen argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 17, 2008 (cont'd)**

Court convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting Presiding Justice, O'Leary, J. and Aronson, J. Toni Cajigal, deputy clerk attending.

G039483 ALI DEMIN
 v.
 ALAIKBAR SHAMSIAN

Merits. Cause called. Jeffrey B. McMillen argued for appellant. Jeffrey A. Robinson argued for respondent. Cause submitted.

G038727 MITCHELL JOELSON et al.
 v.
 FEDERICO C. SAYRE

Merits. Cause called. Deborah S. Reisdorph argued for appellants. Kent M. Henderson argued for respondent. Cause submitted.

G038537 ROBERT EKSTROM et al.
 v.
 MARQUESA AT MONARCH BEACH

Merits. Cause called. Thomas M. Ware II argued for appellant. David A. Robinson argued for respondents. Cause submitted.

G039280 ROBERT EKSTROM et al.
 v.
 MARQUESA AT MONARCH BEACH

Merits. Cause called. Thomas M. Ware II argued for appellant. Benjamin P. Pugh argued for respondent. Cause submitted.

G039686 LARRY MENKE et al.
 v.
 DAIMLERCHRYSLER MOTORS COMPANY et al.

Merits. Cause called. Michael J. Flanagan argued for appellants. Ann M. Mortimer argued for respondents. Cause called.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 17, 2008 (cont'd)**

G038314 RONALD H. MARK
v.
JEFFREY P. SPENCER

Order filed. Order modifying opinion and denying petition for rehearing; no change in judgment.

ARONSON, J.

We concur: SILLS, P. J.
FYBEL, J.

G039353 THE PEOPLE Not for publication
v.
B.F.

Opinion filed. The judgment is affirmed.

IKOLA, J.

We concur: O'LEARY, ACTING P.J.
MOORE, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 18, 2008**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, Rylaarsdam, J. and Aronson, J. Toni Cajigal, deputy clerk attending.

G039016 SBD MUFFERS, LLC
 v.
 CAR SOUND EXHAUST SYSTEM, INC. et al.

Merits. Cause called. George P. Piggott argued for appellant. Joseph J. Gigliotti argued for respondent. Cause submitted.

G038954 KIRK ROBINSON
 v.
 SHANN E. CHASTAIN

Merits. Cause called. Michael F. Babitzke argued for appellant. No appearance by counsel for respondent. Cause submitted.

G038876 VISTA CAMARILLO OWNERS ASSOCIATION
 &
G039062 CITIZENS BUSINESS BANK et al.

Merits. Cause called. Michael T. Harper argued for appellant. Kyle M. Fisher argued for respondent Citizens Business Bank. Thomas J. O'Connor argued for respondent Jill Minn. Chance Gordon argued for respondents Melissa MacDowell and Linda Batrin. Cause submitted.

G039342 CARDINAL HEALTH 301, INC.
 v.
 COUNTY OF ORANGE

Merits. Cause called. Richard E. Nielsen argued for appellant. Laurie A. Shade, Deputy County Counsel argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 18, 2008 (cont'd)**

G038002 KAREEM SALESSI
 v.
 MICHAEL SHADAB et al.

Merits. Cause called. Appellant Kareem Salessi argued in pro pria persona. Michael H. Bassiri argued for respondent Michael Shadab. Darin L. Wessel argued for respondent First Team Real Estate et al. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 18, 2008 (cont'd)**

Court convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are O'Leary, Acting Presiding Justice, Moore, J. and Ikola, J. Toni Cajigal, deputy clerk attending.

G038536 THE PEOPLE
 v.
 JUAN G.

Merits. Cause called. Jean F. Matulis argued for appellant. Ray DiGuiseppe, Deputy Attorney General argued for respondent. Cause submitted.

G039032 THE PEOPLE
 v.
 CARLOS A. VEGA

Merits. Cause called. Edward J. Haggerty argued for appellant. Lynee McGinnis, Deputy Attorney General argued for respondent. Cause submitted.

G038726 THE PEOPLE
 &
G040341 v.
 TIMOTHY L. DRIGGARS JR.

Merits. Cause called. Fay Arfa argued for appellant. David Delgado-Rucci, Deputy Attorney General argued for respondent. Cause submitted.

G039600 THE PEOPLE
 v.
 GERARDO F.

Merits. Cause called. Dabney B. Finch argued for appellant. David Rich, certified law student argued for respondent and Scott Taylor designated as the supervising Deputy Attorney General. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 18, 2008 (cont'd)**

G039092 THE PEOPLE
 v.
 ELISEO GOMEZ

Merits. Cause called. Laura S. Kelly argued for appellant. Frankie Digiacco certified law student argued for respondent and Scott Taylor designated as the supervising Deputy Attorney General. Cause submitted.

G039167 THE PEOPLE
 v.
 JEE H. SONG

Merits. Cause called. Kevin D. Sheehy argued for appellant. Lynne McGinnis, Deputy Attorney General. Cause submitted.

G039654 2151 MICHELSON
 v.
 PRESIDING BISHOP OF JESUS CHRIST CHURCH

Merits. Cause called. Eric C. Olson argued for appellant. Daniel C. Leib argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 18, 2008 (cont'd)**

G038923 THE PEOPLE
 v.
 MORTEZA N. BAKHTIARI

Order filed. Pursuant to rule 8.256(e)(1) California Rules of Court, submission of the above matter vacated and the cause resubmitted as of this date for the period allowed by law.

SILLS, P.J.

I concur: Rylaarsdam, J.

G038993 THE PEOPLE
 v.
 JULIO HERNANDEZ

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039038 THE PEOPLE
 v.
 LATROY L.A. WAGNER

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039071 THE PEOPLE
 v.
 EFREN N. GONZALEZ

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039268 THE PEOPLE
 v.
 RIGOBERTO SALINAS

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 18, 2008 (cont'd)**

G039278 THE PEOPLE
 v.
 RENE S. CRUZ

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039314 THE PEOPLE
 v.
 MAYNARD HATLEBERG

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039352 THE PEOPLE
 v.
 HARPREET S. BRAR

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039359 THE PEOPLE
 v.
 GERARD M. POSADAS

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039399 THE PEOPLE
 v.
 CHARLES W. DIGNAM

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 18, 2008 (cont'd)**

G039414 THE PEOPLE
 v.
 JOHN D. BERGERON

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039545 THE PEOPLE
 v.
 ABRAHAM VALDIVIA

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039592 LINDA SHEEHAN
 v.
 PAULA SKERSTON

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039657 THE PEOPLE
 v.
 DOMINGO GARCIA

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G039672 THE PEOPLE
 & v.
G039307 JESSE E. ACOSTA et al.

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 18, 2008 (cont'd)**

G039869 NELSIY VEGA
v.
PUBLIC ADMINISTRATOR

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G040049 THE PEOPLE
v.
MICHAEL V. NICKERSON

Order filed. The above entitled cause is ordered this date.

SILLS, P.J.

G040152 THE PEOPLE
v.
GABRIEL ZARATE

Not for publication

Opinion filed. The judgment is affirmed.

RYLAARSDAM, Acting P.J.

We concur: MOORE, J.
ARONSON, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 19, 2008**

G039758 KATHLEEN STRONG Certified for publication
v.
ALI BEYDOUN et al.

Opinion filed. The judgment is affirmed.

SILLS, P.J.

We concur: MOORE, J.
 IKOLA, J.

G040245 SHERI T.
v.
SUPERIOR COURT; ORANGE COUNTY
SOCIAL SERVICES AGENCY et al.

Order filed. The petition for rehearing is DENIED.

SILLS, P.J.

We concur: ARONSON, J.
 FYBEL, J.